

**Remarks/Arguments**

**35 U.S.C. §102**

Claims 1, 3, 4, 5, 7, 8, 10, 11, 12, 14, 15, 17, 18, 19, and 21, stand rejected under 35 U.S.C. §102(b) as being anticipated by Thibadeau et al. (U.S. Patent No. 5,565,909).

It is submitted that Thibadeau fails to teach or suggest the step of:

“providing a predetermined output when a distance between a reference point and a predetermined point associated with said geographical area exceeds a predetermined distance; wherein said reference point corresponds to a location of a transmitter which transmits emergency alert signals, and wherein said predetermined distance corresponds to a transmission range of said transmitter,”

as described in currently amended claim 1.

A problem addressed by the present application is the limited transmission range of transmitters broadcasting emergency alerts. If a user is allowed to choose to receive alerts related to a geographic area for which the associated alert transmitter is too distant to provide a signal, the user may be left with a false impression of being able to receive notifications of emergency alerts for that geographical area.

To solve this problem, the subject application discloses a method of providing a predetermined output to the user during a setup process if the distance from a selected transmitter exceeds the transmission range of that transmitter. In some embodiments, the user can be warned that the emergency alert transmitter for a selected geographic area is too distant for alerts for that area to be received at the user’s location.

It is respectfully asserted that Thibadeau fails to disclose “providing a predetermined output when a distance between a reference point and a predetermined point associated with said geographical area exceeds a predetermined distance; wherein said reference point corresponds to a location of a transmitter which transmits emergency alert signals, and wherein said predetermined distance corresponds to a transmission range of

“said transmitter,” as described in currently amended claim 1. Instead, Thibadeau teaches that “location specific messages or programming are generally broadcast and selectively filtered by user terminals which have encoded one or more arbitrary locations of interest. The area surrounding a user, a remote location, a route to be travelled, or the like may be selected for receipt of local warnings, local commercial messages, and the like. A set-top receiver being a preferably tunable apparatus capable of receiving digital information transmitted by a variety of means. Transmitted messages contain information targeted to geographical groups of users, with location designation coding accompanying location-specific messages. A geographic location selection code is entered into a data processor coupled to the user's receiver to define the user's selected location(s) of interest. The processor receives the information segment and its designation code and compares the designated location to the selected one.” (Thibadeau Abstract)

Thibadeau does not describe providing feedback to a user during setup when a distance from a transmitter exceeds the range of that transmitter. Thibadeau merely describes testing the geographic regions of transmitted messages against the user's selected locations of interest. Therefore, Thibadeau fails to disclose “providing a predetermined output when a distance between a reference point and a predetermined point associated with said geographical area exceeds a predetermined distance; wherein said reference point corresponds to a location of a transmitter which transmits emergency alert signals, and wherein said predetermined distance corresponds to a transmission range of said transmitter,” as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully asserted that there is no 35 USC 112 enabling disclosure provided by Thibadeau that makes the present invention as claimed in currently amended claim 1 unpatentable. It is further submitted that independent claims 8 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-4, 7, 9-11, 12, 16-18, and 21 are dependent from allowable independent claims 1, 8, and 15, it is respectfully submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

**35 U.S.C. §103**

Claims 2, 9, and 16, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau et al. (U.S. Patent No. 5,565,909).

Since dependent claims 2, 9, and 16 are dependent from independent claims 1, 8 and 15, which are allowable for the reasons described above, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claims 6, 13, and 20, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau et al. (U.S. Patent No. 5,565,909), in view of Lemelson et al. (U.S. Patent No. 6,084,510).

Since dependent claims 6, 13, and 20 have been canceled, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

/brian j cromarty/

---

By: Brian J Cromarty  
Reg. No. L0027  
Phone (609) 734-6804

Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, New Jersey 08543-5312  
November 20, 2008